

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK  
EASTERN DIVISION

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UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CV-12-2173 (SJ)
	)	
\$289,800.00, MORE OR LESS, IN	)	
UNITED STATES CURRENCY, SEIZED	)	
FROM LUIS DAMIAN JACAS ON	)	
NOVEMBER 17, 2011, ET. AL,	)	
	)	
Defendants <u>In Rem</u> .	)	

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DECLARATION OF PUBLICATION

According to my review of the electronic database maintained by the Department of Justice, the attached notice of Civil Forfeiture was posted on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days, beginning on May 11, 2012 and ending on June 9, 2012 as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions, and evidenced by Attachment 1.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 19, 2012.

Maritza Arroyo  
Maritza Arroyo  
FSA Paralegal

Attachment 1

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK  
COURT CASE NUMBER: CV-12-2173; NOTICE OF FORFEITURE ACTION**

Pursuant to 18 U.S.C. § 981, the United States filed a verified Complaint for Forfeiture against the following property:

\$289,800.00, more or less, in United States currency seized from Luis Damian Jacas (12-USS-000628) at Manhattan Mini Storage on or about November 17, 2011 at 420 East 62nd Street, located in New York, NY

\$2,851.51, more or less, in United States currency, seized from Luis Damian Jacas (12-USS-000629) residence on or about November 17, 2011, at an address located in New York, NY

288 Bottles of Wine seized from Luis Damian Jacas on or about November 17, 2011 at Wine Care Storage LLC (12-USS-000630), including the following items: (a) 12 Bottles of 2006 Cakebread Cellars Cabernet Sauvignon Napa Valley Wine; (b) 6 Bottles of 2006 Caymus Cabernet Sauvignon Napa Valley Wine; (c) 36 Bottles of 2007 Caymus Cabernet Sauvignon Napa Valley; (d) 12 Bottles of 2006 Caymus Cabernet Sauvignon Special Selection Napa Valley Wine; (e) 12 Bottles of 2005 Chateau Lynch-Bages Pauillac Clinquime Grand Cru Classe Wine; (f) 6 Bottles of Le Petit Mouton De Mouton-Rothschild Pauillac Wine; (g) 67 Bottles of 2005 Opus One Oakville Wine; (h) 53 Bottles of 2006 Opus One Oakville Wine; (i) 54 Bottles of 2007 Opus One Oakville Wine; (j) 6 Bottles of 2005 Peter Michael Les Pavots Knight Valley Wine; (k) 6 Bottles of 2004 Silver Oak Cabernet Sauvignon Alexander Valley Wine; (l) 12 Bottles of 2005 Silver Oak Cabernet Sauvignon Alexander Valley Wine; and (m) 6 Bottles of 2003 Silver Oak Cabernet Sauvignon Napa Valley Wine, located at 628 West 28th Street, located in New York, NY

\$10,000.00, more or less, in United States currency seized from Eric R. Brahms (12-USS-000632) residence on or about November 17, 2011, at an address located in New York, NY

\$873,479.00, more or less, in United States currency, seized from Irwin Gutman (12-USS-000633) residence on or about November 17, 2011, at an address located in Brooklyn, NY

\$8,200.00, more or less, in United States currency seized from Elle Chong Rozan (12-USS-000634) residence on or about November 17, 2011, at an address located in New York, NY

Any person claiming a legal interest in the Defendant Property must file a verified Claim with the court within 60 days from the first day of publication (May 11, 2012) of this Notice on this official government internet web site and an Answer to the complaint or motion under Rule 12 of the Federal Rules of Civil Procedure within 21 days thereafter. 18 U.S.C. § 983(h)(1) permits a court to impose a civil fine on anyone asserting an interest in property which the court determines was frivolous.

The verified Claim and Answer must be filed with the Clerk of the Court, 225 Cadman Plaza East, Brooklyn, NY 11201, and copies of each served upon Assistant United

States Attorney Karen Hennigan, 271 Cadman Plaza East, 7th Floor, Brooklyn, NY 11201, or default and forfeiture will be ordered. See, 18 U.S.C. § 983(a)(4)(A) and Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.



### Advertisement Certification Report

The Notice of Publication was available on the [www.forfeiture.gov](http://www.forfeiture.gov) web site for at least 18 hours per day between May 11, 2012 and June 09, 2012. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. \$289,800.00 et al

**Court Case No:** CV-12-2173  
**For Asset ID(s):** See Attached Advertisement Copy

Consecutive Calendar Day Count	Date Advertisement Appeared on the Web Site	Total Hours Web Site was Available during Calendar Day	Verification that Advertisement existed on Web Site
1	05/11/2012	24.0	Verified
2	05/12/2012	24.0	Verified
3	05/13/2012	24.0	Verified
4	05/14/2012	24.0	Verified
5	05/15/2012	24.0	Verified
6	05/16/2012	24.0	Verified
7	05/17/2012	24.0	Verified
8	05/18/2012	23.9	Verified
9	05/19/2012	24.0	Verified
10	05/20/2012	24.0	Verified
11	05/21/2012	24.0	Verified
12	05/22/2012	24.0	Verified
13	05/23/2012	24.0	Verified
14	05/24/2012	23.9	Verified
15	05/25/2012	23.9	Verified
16	05/26/2012	24.0	Verified
17	05/27/2012	24.0	Verified
18	05/28/2012	24.0	Verified
19	05/29/2012	24.0	Verified
20	05/30/2012	24.0	Verified
21	05/31/2012	24.0	Verified
22	06/01/2012	24.0	Verified
23	06/02/2012	24.0	Verified
24	06/03/2012	24.0	Verified
25	06/04/2012	24.0	Verified
26	06/05/2012	24.0	Verified
27	06/06/2012	24.0	Verified
28	06/07/2012	24.0	Verified
29	06/08/2012	24.0	Verified
30	06/09/2012	24.0	Verified

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.